

## 321 CMR 3.02(4) Hunting and Tagging of Deer

(b) Open Season. The open season shall be in five periods as follows:

1. Beginning the last Monday in October and ending the following Saturday, any three days of which may be selected by the Director, there shall be a special season for paraplegics exclusively, who may hunt deer by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow. Such hunting shall be limited to those specified areas designated by the Director. During this special season, nothing shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.

a. In zones 1-9, beginning on the sixth Monday prior to Thanksgiving and ending on the first Saturday after Thanksgiving, all days inclusive, except on the tribal lands of the Wampanoag Tribe of Gay Head in the Town of Aquinnah in Dukes County, there shall be a special season for archers exclusively and during this period deer may be hunted only by means of a bow and arrow. In zones 10-14, beginning on the eighth Monday prior to Thanksgiving and ending on the first Saturday after Thanksgiving, all days inclusive, except on the tribal lands of the Wampanoag Tribe of Gay Head in the Town of Aquinnah in Dukes County, there shall be a special season for archers exclusively and during this period deer may be hunted only by means of a bow and arrow.

b. Beginning on the third Monday prior to the first Monday in November and ending on the last day of the primitive firearms season as specified in 321 CMR 3.02(4)(b)4., all days inclusive, and only on the tribal lands of the Wampanoag Tribe of Gay Head in the town of Aquinnah in Dukes County, there shall be a special season for archers. During this period, deer may be hunted only by means of a bow and arrow, provided that during the shotgun deer season for Zone 13 as provided for in 321 CMR 3.02(4)(b)3., and during the primitive firearms season as provided for in 321 CMR 3.02(4)(b)4., deer may also be hunted with such firearms as are specified for those seasons.

2. Beginning the first Monday after Thanksgiving and ending the second Saturday thereafter, all days inclusive except Sunday, deer may be hunted throughout Massachusetts by means of a shotgun not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow.

3. The primitive firearms period of the open season is intended to provide an opportunity to hunt deer in a manner similar to the way our forefathers hunted in the mid-1800's. The primary consideration is to limit the weapons to a type similar to those in common use during that period of history. Basically, that means a single shot, muzzle-loading firearm with limited range and firepower. Secondly, the hunter participating in this season should have a relative degree of solitude significantly different from the hunting pressure which is characteristic of the shotgun deer season.

Beginning the third Monday after Thanksgiving and ending on December 31<sup>st</sup>, all days inclusive, deer may be hunted only by means of a primitive firearm using a single lead projectile, or by means of a bow and arrow. Black powder (or synthetic substances such as "pyrodex" which are approved for competitive muzzle-loading meets by the National Muzzle Loading Rifle Association) is the only powder to be used during this season. Primitive firearms may have smooth or rifled bores and shall not contain more than one usable barrel. In the case of primitive firearms with double bore barrels, one barrel shall be made inoperative by removal of the nipple and hammer. The caliber of a primitive firearm shall be not less than .44 nor more than .775 and only those primitive firearms having a barrel length of 18 inches or longer shall be permitted. A person shall not, except during the paraplegic, Youth Deer Hunt and shotgun deer seasons, have in his or her possession a shotgun shell loaded with a rifled slug, single ball, buckshot of any size, BB shot or air rifle shot in any place where birds or mammals might be found, except on a skeet, trap or target range between sunrise and sunset, and except for the hunting of waterfowl, or coyote as provided in 321 CMR 2.03. During the primitive firearm season, nothing in 321 CMR 3.02(4) shall prevent the otherwise lawful hunting of birds and mammals in accordance with established statutes and regulations.

5. On the fourth Saturday following Labor Day, which shall be the day of the Youth Deer Hunt, minors 12 through 17 years of age who have been issued a Youth Deer Hunt Permit by the Director

may hunt for deer by means of a shotgun, not larger than ten gauge, including shotguns with a rifled bore, by means of a muzzle-loading firearm, fired from the shoulder, .44 to .775 caliber, or by means of a bow and arrow. A Youth Deer Hunt Permit must be obtained by the hunter allowing for the harvest of one deer, valid only on the day of the Youth Deer Hunt, for either, an antlered deer in any Wildlife Management Zone or an antlerless deer in the Wildlife Management Zone(s) as specified by the Director in the Permit. All minors 12 through 14 years of age taking part in the Youth Deer Hunt are not be required to possess a hunting license or sporting license, but shall possess a Youth Deer Hunt Permit, and be accompanied by a duly licensed adult as required by M.G.L. c. 131, § 14. All minors 15 through 17 years of age taking part in the Youth Deer Hunt shall possess both a Massachusetts hunting or sporting license, and a Youth Deer Hunt Permit. All minors, and the adults who accompany said minors during the Youth Deer Hunt, shall comply with all applicable law and regulations of the Division, including the provisions of M.G.L. c. 131, §§ 14, 71, and 72 and 321 CMR 3.02(4). During the Youth Deer Hunt, it is prohibited to hunt deer in an area where baiting has occurred up to ten days prior to the Youth Deer Hunt season. Nothing in 321CMR 3.02(4) shall preclude the otherwise lawful hunting of birds and mammals in accordance with the applicable law and regulations of the Division during the Youth Deer Hunt season.